

November 23, 1992

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

RE: Call Letter Request
from WZKT to WAYB
Waynesboro, Virginia

Dear Ms. Searcy:

The undersigned is the permittee of FM broadcast Station WAYB, Grayville, Tennessee. Pursuant to Section 73.3550(n), I hereby consent to the change in call sign for standard broadcast Station WZKT, Waynesboro, Virginia, to WAYB. When the call change is made effective, I will modify the call sign of Station WAYB, Grayville to add the suffix "-FM" and will so advise the Commission.

Sincerely,



Richard C. Wagner
4 Rockhaven Lane
Signal Mountain, TN 37377

[42355]

ANTI-DRUG ABUSE ACT CERTIFICATION


The applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853a, or, in the case of a non-individual applicant (e.g. corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. § 1.2002(b).

☒

Yes

☐

No

Name of Applicant SlocuMedia, Inc.	Signature 
Date November 21, 1992	Title President

239

FCC MAIL SECTION
OCT 30 12 45 PM '92
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554
October 30, 1992

IN REPLY REFER TO:
8910-SML

James K. Edmundson, Esq.
1301 K Street, NW
Suite 900, East Tower
Washington, DC 20005

In re: **WZKT (AM)**
Waynesboro, VA

Dear Sir or Madame:

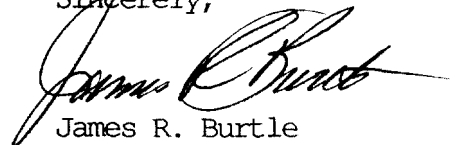
This letter concerns your pending request for authority to remain silent. Temporary authority is hereby granted for the above-referenced station to remain silent through January 30, 1993.

On December 11, 1991, the Commission adopted a Report and Order (copy attached) which amended Part 1 of the Commission's Rules, to implement Section 5301 of the Anti Drug Abuse Act of 1988. Pursuant to the Report and Order, any requests for extension of this authority must be accompanied by a certification that neither the applicant nor any party to the request is subject to a denial of Federal benefits under Section 5301. Please use the attached certification page to comply with this requirement.

Any further requests for extension of this authority must be accompanied by a detailed summary of steps taken to return the station to on-air operations. It will be necessary to maintain prescribed tower lighting in accordance with the stations license authorization. If an extension is not required, you are requested to notify the Commission, in writing, of the exact date the station resumes on-air operations.

In the event that any AM station remains silent for a period over 6 months, it will be necessary to file with the Commission, prior to returning the station to on-air operations, an FCC Form 302 for direct measurement of power which should include a partial proof of performance for stations with directional antennas.

Sincerely,



James R. Burtle
Chief, AM Branch
Audio Services Division
Mass Media Bureau

Attachments

44 Grandview Manor Court
Waynesboro, VA 22980
September 23, 1992

Mr. James Burtle
Chief, AM Branch
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

AM BRANCH

SEP 29 1992

Dear Mr. Burtle:

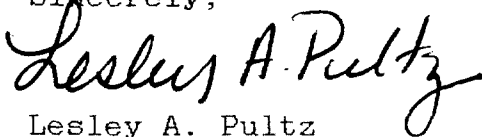
I am a mother who has two children enrolled at Old Dominion Preschool and Learning Center in Waynesboro, Virginia. The center is leasing the building that used to be radio station WZKT AM. I read a Public Notice in the Saturday, September 19, 1992 issue of *The News-Virginian* that truly struck a nerve. Apparently, ownership of the radio station is changing and the new owners have submitted an application to the FCC to transfer the license. Obviously they want to operate the station.

I feel, as a concerned parent, that this application should be denied on the basis that it could be detrimental to the health and well being of my children as well as the other children at the center. The tower is located within a few feet of the playground and I do not feel it would be safe to expose these children to radiation.

I ask that you carefully look into this situation before making any decisions on whether or not to transfer this license. I would appreciate hearing back from you on this issue as soon as possible.

Thank you for your attention.

Sincerely,



Lesley A. Pultz

cc: Dr. Thomas Gorsuch, Mayor - City of Waynesboro
Senator Frank Nolen
Delegate Pete Giesen

PUBLIC NOTICE

On September 2, 1992, there was tendered for filing with the Federal Communications Commission an application to assign the license of standard broadcast Station WZKT, which is authorized to operate on 1490 kilohertz at Waynesboro, Virginia, from SlocuMedia, Inc. to Hometown Media, Inc. The officers, directors and stockholders of SlocuMedia, Inc., are Leon P. Harris, Kenneth Bowman, Nancy Bowman, and Earl Judy, Jr. The officers, directors and stockholders of Hometown Media, Inc. are Phillip C. Showers and Yolanda Showers. A copy of the application and related material are on file for public inspection at: Clerk of Council Office, Room 215, 250 S. Wayne Avenue, Waynesboro, Va.

9-19-92

The News-Virginian

GARDNER, CARTON & DOUGLAS

1301 K STREET, N.W.

SUITE 900, EAST TOWER

WASHINGTON, D.C. 20005

(202) 408-7100

FACSIMILE 202-289-1504

WRITER'S DIRECT DIAL NUMBER

Catherine M. Withers
(202) 408-7114

ORIGINAL

CHICAGO, ILLINOIS

RECEIVED

August 26, 1992

AUG 26 1992

Federal Communications Commission
Office of the Secretary

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

Re: Notification of Consummation
Station WZKT
File No. BTC-920408EC
Waynesboro, Virginia

Dear Ms. Searcy:

Transmitted herewith on behalf of SlocuMedia, Inc. are an original and four (4) copies of a notification of consummation, confirming that the transfer of control of Station WZKT at Waynesboro, Virginia, approved pursuant to File No. BTC-920408EC, has been consummated.

Should any questions arise with respect to this matter, kindly contact this office.

Sincerely,

Catherine M. Withers

Catherine M. Withers

Enclosure

RECEIVED

AUG 26 1992

Notification of Consummation

Federal Communications Commission
Office of the Secretary

I, Leon P. Harris, President and 25.51% stockholder of SlocuMedia, Inc., hereby notify the Commission of the consummation of the transfer of control of the majority interest in SlocuMedia, Inc., licensee of Station WZKT at Waynesboro, VA, from John G. Leake, Trustee, to Leon P. Harris, Kenneth D. Bowman, and Nancy M. Bowman in accordance with Commission authorization (File No. BTC-920408EC). Consummation occurred on

8/21/92

Date

8/24/92



Leon P. Harris, President
SlocuMedia, Inc.

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

IN REPLY REFER TO

8910-MAG

24 JUN 1992

Catherine M. Withers, Esq.
M. Scott Johnson, Esq.
Gardner, Carton & Douglas
1301 K Street, N.W.
Suite 900, East Tower
Washington, DC 20005

In re: Application for Consent to
Assign License of Station
WZKT (AM), Waynesboro, Virginia
BAL-910408EA;
Application for Consent to Transfer of
Control of License of Station WZKT (AM),
Waynesboro, Virginia, BTC-920408EC

Dear Counsel:

This letter is in reference to the above-captioned applications. The first application, File No. BAL-910408EA, sought Commission approval to assign the license of WZKT (AM) from SlocumMedia, Inc. ("SlocumMedia") to Tschudy Communications Corporation ("Tschudy"). A petition to deny that application was filed on May 14, 1991 by Leon P. Harris ("Harris") on behalf of Waynesboro Broadcasting Limited Partnership ("the partnership"). Harris' petition alleged that the partnership had sold the station to SlocumMedia in 1989, taking back a note secured by the station's transmitter and studio equipment. Harris also asserted that the partnership now owned the transmitter and the station's equipment based on SlocumMedia's default on the secured note. Harris further stated that the partnership owns the real property on which the station's offices, studios and tower are located and that the partnership has taken action against SlocumMedia in state court based on overdue payments on the lease for that property. Therefore, the partnership opposed the sale of the station to Tschudy, alleging that the proposed transaction constituted the sale of a bare license. In this regard, Harris also asserted that Scott Slocum ("Slocum"), President and controlling stockholder of SlocumMedia, had filed for bankruptcy and that the station had been off the air since December 1990.

While this application was pending, John G. Leake was appointed Trustee of the personal estate of Slocum by order of the United States Bankruptcy Court for

the Western District of Virginia declaring Slocum bankrupt pursuant to a petition under Chapter 7 of the United States Bankruptcy Code. Slocum's personal estate included 50 shares of stock in SlocumMedia, which constituted 51.02% of the stock of that corporation, a controlling interest. Thus, Leake, in his capacity as trustee, filed an application for consent to an involuntary transfer of control of SlocumMedia, BTC-920106EA. This application was approved by staff action on January 24, 1992. On April 8, 1992, Leake, who now controls the licensee pursuant to court order, requested that the pending application to assign the license from SlocumMedia to Tschudy be dismissed. Furthermore, Leake filed the above-captioned application seeking Commission approval to transfer control of SlocumMedia from himself, as trustee, to Leon P. Harris ("Harris"), Kenneth D. Bowman and Nancy M. Bowman ("the Bowmans"), who are the individual partners of Waynesboro Broadcasting Limited Partnership ("the partnership"). Leake asserts that the bankruptcy court has approved the sale of Slocum's stock in SlocumMedia to the partnership for \$500.00. This application is not contested.

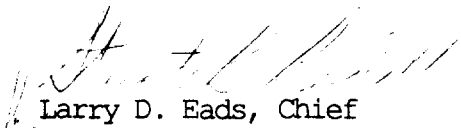
We will dismiss the pending application for consent to assign the license of WZKT(AM) from SlocumMedia to Tschudy. We note that this application was effectively rendered moot by the staff's action of January 24, 1992 which granted the involuntary transfer of control of the license to Leake as trustee of the bankruptcy estate of the controlling shareholder of SlocumMedia. Furthermore, we note that Harris and the Bowmans constitute the partnership, the station's previous licensee, and therefore control the station's real property, equipment and transmitter. Consequently, grant of the application for transfer of control of SlocumMedia from Leake to Harris and the Bowmans will place control of the assets and the license of WZKT(AM) in the same parties, consistent with Commission policy. See, e.g., Kirk Merkley, Receiver, 94 FCC 2d 829, 830-31 (1983) recon. denied, 56 RR 2d 413 (1984) (subsequent history omitted).¹ Furthermore, we note that the bankruptcy court has approved the sale of Slocum's stock in SlocumMedia and a copy of the order authorizing the sale is included in the subject transfer of control application. The subject transfer of control application also states that the station will resume operations upon grant of that application.

Based on the foregoing and our independent review of the above-captioned applications, we find no substantial and material question of fact sufficient to demonstrate that dismissal of the pending application to assign the license of WZKT(AM) from SlocumMedia to Tschudy and grant of the pending transfer of control application would be inconsistent with the public interest.

¹ We note that the subject application to transfer control of SlocumMedia to Harris and the Bowmans indicates that Harris and the Bowmans are negotiating to acquire the remaining 48.98% interest in the license, presently held by Earl Judy ("Judy"). In this regard, the application indicates that upon acquisition of the remaining shares of stock, Harris and the Bowmans will own the entire corporation with the stock being distributed among the three individuals 50%, 25% and 25% respectively. However, we are approving only the transaction now before us and, therefore, the licensee remains SlocumMedia, Inc. Harris and the Bowmans will collectively control 51.02% of the corporation and the remaining 48.98% of the corporation will be controlled by Judy.

Accordingly, the request of John G. Leake, Trustee, for dismissal of the application for consent to assign the license of WZKT(AM) from SlocumMedia, Inc., to Tschudy Communications Corporation, IS HEREBY GRANTED, and the subject application, File No. BAL-910408EA, IS DISMISSED. Furthermore, the application for consent to transfer control of SlocumMedia, Inc., the licensee of WZKT(AM), Waynesboro, Virginia, from John G. Leake, Trustee, to Leon P. Harris, Kenneth D. Bowman and Nancy M. Bowman, File No. BTC-920408EC, IS HEREBY GRANTED, subject to appropriate conditions concerning the resumption of broadcast operations.

Sincerely,



Larry D. Eads, Chief
Audio Services Division
Mass Media Bureau

cc: John G. Leake
Scott Slocum

ORIGINAL

GARDNER, CARTON & DOUGLAS

1301 K STREET N W

SUITE 900, EAST TOWER

WRITER'S DIRECT DIAL NUMBER

WASHINGTON, D.C. 20005

CHICAGO, ILLINOIS

Catherine M. Withers
(202) 408-7114

(202) 408-7100

FACSIMILE: (202) 289-1504

RECEIVED

April 8, 1992

APR - 8 1992

Ms. Donna R. Searcy, Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Federal Communications Commission
Office of the Secretary

Re: Voluntary Dismissal
FCC Form 314
Station WZKT (AM)
BAL-910408EA
Waynesboro, Virginia

Dear Ms. Searcy:

Transmitted herewith are an original and two copies of a request for voluntary dismissal of the pending application for assignment of Station WZKT at Waynesboro, Virginia (File No. BAL-910408EA).

Should any questions arise with respect to this matter, kindly contact this office.

Sincerely,



Catherine M. Withers

Enclosure

RECEIVED

Request for Withdrawal of Assignment Application

APR - 8 1992

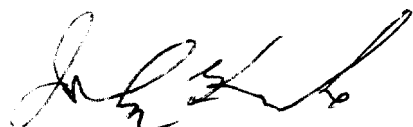
Federal Communications Commission
Office of the Secretary

I, John G. Leake, Trustee of 51.02% of the voting shares of SlocuMedia, Inc., licensee of Station WZKT (AM) at Waynesboro, VA, hereby request that the pending application for assignment of that station be dismissed (File No. BAL-910408EA). At the time that the assignment application was filed, Scott Slocum was the majority stockholder of the licensee. However, by Court action in the United States Bankruptcy Court for the Western District of Virginia (Harrisonburg Division), Scott Slocum was declared bankrupt and an Order was entered appointing me as Trustee of his estate, including his shares in SlocuMedia, Inc. FCC permission was sought and granted for transfer of Mr. Slocum's 51.02% interest (50 shares) in the licensee to me (File No. BTC-920106EA) and, accordingly, I have positive control of the licensee.

Pursuant to a Motion to Sell Unencumbered Personal Property, the Court has issued an Order authorizing the sale of the 50 shares of SlocuMedia now controlled by me to Waynesboro Broadcasting Limited Partnership for the sum of Five Hundred Dollars (\$500.00). Pursuant to the Court Order an application for transfer of these shares is being simultaneously filed herewith under separate cover. Accordingly, it is respectfully requested that the pending application for assignment of that station be dismissed.

3-20-92

Date



John G. Leake, Trustee

8910-100

Tschudy Communications Corporation
15 Campbell Street
Luray, Virginia 22835

703-743-3000

August 21, 1991

Mr. James R. Burtle
Chief AM Branch
Federal Communications Commission
Audio Services Division
Mass Media Bureau
1919 M Street, N.W.
Washington, DC 20554

AUG 26 1991

AM BRANCH

Re: 8910-JLM, WZKT, Waynesboro, VA
File No. BAL-910408EA

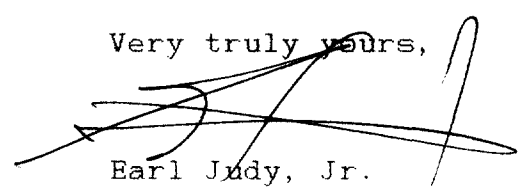
Dear Mr. Burtle:

In response to your letter of July 23, 1991, and the above referenced application, we have an equipment proposal from Hall Electronics, Charlottesville, VA (see attached), which is acceptable to Tschudy Communications Corporation and will be purchased immediately upon the approval by the Federal Communications Commission of subject application. Also, attached hereto is a proposal from Shenandoah Tower Services which is also acceptable to Tschudy Communications Corporation upon approval of the subject application.

The new tower/transmitter location will be leased from Mr. Carl Hewitt, Waynesboro, VA, which is located within the required two mile radius of the existing WZKT transmitter site.

If you need additional information, please contact the undersigned.

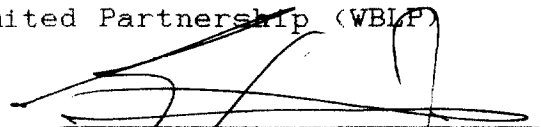
Very truly yours,

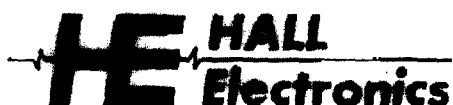

Earl Judy, Jr.

EJj/sa

I, the undersigned, certify that a copy of this letter with attachments have been forwarded by U. S. mail this date to:

Leon P. Harris, Partnership (BBHP)
Waynesboro Broadcasting Limited Partnership (WBLP)
Waynesboro, Virginia


EARL JUDY, JR.



Broadcast Equipment & Supplies

Mr. Earl Judy
Tschudy Communications Corp

TRANSMISSION TO _____

FAX NUMBER 703 477-2937 / 703-743-3000DATE Aug. 20, 1991PAGE 1 OF 2 PAGES

We are pleased to offer the following equipment proposal
for your Waynesboro facility:

WZKT-Waynesboro, VA

- | | | |
|----|--|------------|
| 1. | Reconditioned Gates Model BC-1T, 1 kw AM Broadcast Transmitter, tuned and tested on 1490Khz with 90 day warranty | \$5,995.00 |
| 2. | Reconditioned Antenna tuning unit for use with 165ft tower on 1490Khz | 895.00 |
| 3. | 300ft air dielectric 7/8" transmission line used. Unit price \$3.00/ft | 900.00 |
| 4. | Sparta A-20B 8 pot mono audio console, reconditioned | 700.00 |
| 5. | Russco 12" turntable, with microtrak tone arm, Qty. 2, Reconditioned, with NEW stanton 680 F phono cart. Unit price \$225.00 | 450.00 |
| 6. | Reconditioned ITC Tri deck cart player, mono, one cue tone | 1,695.00 |
| 7. | Reconditioned ITC mono record/play recorder, one cue tone | 1,295.00 |

(804) 974-6466

Fax (804) 974-6450



Broadcast Equipment & Supplies

Bob Bousman - Sales Engineer

1305-F Seminole Trail - Charlottesville, VA 22901



Broadcast Equipment & Supplies

TRANSMISSION TO Tschudy Communications Corp Page 2

FAX NUMBER _____

DATE _____

PAGE _____ OF _____ PAGES

- | | |
|---|-----------|
| 8. Revox Model A-77 Reel to Reel recorder, 3.75/7.5ips, Stereo, Reconditioned | \$ 895.00 |
| 9. Audio-Technica Model ATM-25, Dynamic studio microphone, NEW | 159.00 |
| 10. Khat-Pines mono Tri-Maze, tri-band audio processor | 1,320.00 |
| 11. Reconditioned CCA Model AMM-12 Modulation monitor | 495.00 |
| 12. 1000ft reel, West Penn CL201 twisted shielded pair audio cable | 79.00 |

Total Equipment \$14,878.00Less Package Discount 1,278.00

Package Price \$13,600.00

Terms: 50% CASH WITH ORDER, BALANCE ON DELIVERY

(804) 974-6466

Fax (804) 974-5450



Broadcast Equipment & Supplies

Bob Bousman - Sales Manager

1305-F Seminole Trail - Charlottesville, VA 22901

The undersigned accepts
this proposal subject to
FCC approval of transfer
of license of WZKT to
Tschudy Communications Corp.

Earl Judy, Jr. President

PROPOSAL

From:	To:
Shenandoah Tower Service, LTD P.O. BOX 956 STAUNTON, VA 24401 (703) 886-6525 • FAX (703) 886-3624 David H. Anthony, President	Mr. Rick Williams Tshudy Broadcasting Corp. 15 Campbell Street Luray, VA 22835

Dated: 8/21/91

We propose to: provide and install one Rohn Model 45G AM Radio Tower at your transmitter site near Waynesboro, VA. The tower is designed for 70 MPH winds and 1/2" ice loading.

A ground screen consisting of a 24' x 24' expanded copper mesh and 120 each #10 copper radials, each 165' long will also be installed.

Price is based on a cleared site and normal soil conditions.

60 days ARO

All material is to be as specified and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workman-like manner for the sum of: \$17,147.00
Payment Schedule: 1/3rd with order, 1/3rd upon installation of foundations and
1/3rd (balance) due upon completion

TERMS: Due and Payable Upon Receipt

Finance Charge 2% (24% Per Year) added on any outstanding balance after 30 days.

This agreement waives the homestead exemption and all other exemptions pertaining to the collection of above sum or any additional costs incurred.

Client agrees to pay any collection costs, including reasonable attorney fees in event of non-payment.

Any alterations or deviation from above specifications will become an extra charge over and above the estimate.

SHENANDOAH TOWER SERVICES, LTD is not responsible for delays beyond our control, such as strikes, accidents, or acts of God.

This proposal is valid for 45 days.

Respectfully submitted by:


David H. Anthony, President

August 21, 1991

Date

ACCEPTANCE OF PROPOSAL

This proposal must be signed and returned to SHENANDOAH TOWER SERVICE, LTD to show your acceptance of the above agreement.

The above prices, payment terms, specifications and conditions are satisfactory and are hereby accepted.

SHENANDOAH TOWER SERVICE, LTD is authorized to do the work as specified. - Subject to FCC Approval


Signature and Title

Aug 21, 1991
Date

363

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

JUL 23 4 04 PM '91

0137 23 JUL 1991

IN REPLY REFER TO:

8910-JLM

Mr. Earl Judy
Tschudy Communications Corporation
15 Campbell Street
Luray, VA 22835

In re: WZKT(AM), Waynesboro, Virginia
File No. BAL-910408EA

Dear Mr. Judy:

This is in reference to your application for the assignment of the license of station WZKT from SlocuMedia, Inc. to Tschudy Communications Corporation (BAL-910408EA). A joint objection against that application was filed on May 14, 1991 by Waynesboro Broadcasting Limited Partnership ("WBLP") and Kenneth D. Bowman, Nancy M. Bowman and Leon P. Harris Partnership ("BBHP"). The objection alleged that Tschudy Communications Corporation, the assignee, has not made arrangements to obtain assets used in connection with the operation of the radio station.

Such an assignment of a license alone without assets is termed a "bare license" and is forbidden by Commission policy. This longstanding policy, articulated in Van Schoick Enterprises, Inc., 58 F.C.C.2d 341 (1976) and many other reported cases¹, strictly forbids assignment of a license to a party who lacks the equipment necessary to resume broadcasting in the foreseeable future. The basic reason for the policy of requiring a station's physical assets to accompany the authority to operate a station is to ensure, consistent with the Commission's public interest mandate, that assignees of licenses will be able to resume broadcasting within a reasonable time. If a proposed licensee is unable to demonstrate sufficiently that it has or will obtain the necessary assets, efficient use of the broadcast spectrum demands that the Commission cancel the license and delete the call letters in order to free up the frequency for others who may wish to broadcast. See, e.g., Bennett Gilbert Gaines, Interlocutory Receiver (WCBM)(AM), 5 F.C.C. Rcd. 2052, 2053 (1990).

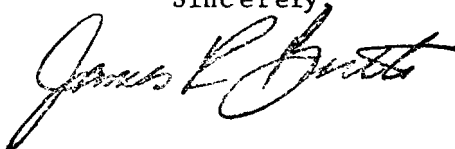
¹ See, e.g., Edward B. Mulrooney, 13 F.C.C.2d 946 (1968); Radio KDAN, Inc., 11 F.C.C.2d 934 (1968); Bonanza Broadcasting Corp., 10 F.C.C.2d 906 (1967).

We note that in your letter of June 27, 1991 you state that Tschudy Communications Corporation is "ready, willing and able to purchase all the required equipment to place WZKT back to operational status as soon as the FCC grants the assignment of this application." However, a mere statement indicating that Tschudy Communications plans in the future to obtain such assets is too speculative and will not satisfy the requirement that an assignee obtain assets used in connection with operation of the subject station. Rather, the assignee must make a showing that it either has obtained such assets prior to the FCC's grant of the assignment or that it has firm plans to obtain such assets immediately upon receiving FCC authorization. Such a showing may include, if appropriate, a copy of a signed contract made between the assignee and a supplier of assets for purchase or lease of such assets as a transmitter, studio or other equipment used in connection with radio broadcasting. In this regard, the parties may condition performance under the terms of the contract upon Commission approval of the application.

In view of the foregoing, in order to continue prosecution of the instant application, you must within 30 days of the date of this letter file with the Commission an exhibit showing that Tschudy Communications Corporation will in fact obtain assets used in connection with the operation of station WZKT.

Your response to the foregoing inquiry must also be filed with proof that a copy was served upon WBLP and BBHP. WBLP and BBHP will then have 10 days from receipt thereof to file a reply. Failure to respond in timely fashion to this request will result in dismissal of your application pursuant to Section 73.3568(b) of the Commission's Rules.

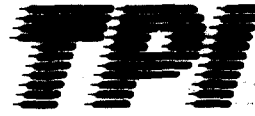
Sincerely,

A handwritten signature in dark ink, appearing to read "James R. Burtle", written in a cursive style.

James R. Burtle
Chief, AM Branch
Audio Services Division
Mass Media Bureau

cc:

Leon P. Harris, Partner WBLP and BBHP



TELE-PATH INDUSTRIES, INC.

LEON P. HARRIS

PRESIDENT

(703) 982-8844

3602 MELROSE AVE., N. W., ROANOKE, VA. 24017

July 16, 1991

Mr. Sylvester Williams
FCC Room 342
1919 M St., N.W.
Washington DE 20554

SUBJECT: "Application for Consent to Assignment of Broadcast Station
Construction Permit or License" - Dated April 4, 1991
Assignor: SlocuMedia, Inc.
Assignee: Tschudy Communications Corporation
Call Letters: WZKT AM
Location: Waynesboro, VA.

Dear Mr. Williams:

Thank you for your recent call during which we discussed our position as creditors to SlocuMedia, Inc. and the status of discussions or negotiations relating to studios, tower/antenna, transmitter equipment, offices and real estate previously used in WZKT operation. The following paragraph will summarize our position and status as it relates to the business Assets and to the property used by WZKT:


1. Kenneth D. Bowman, Nancy M. Bowman and Leon P. Harris Partnership, is a Partnership that owns the building, real estate and transmitter tower used in connection with the operation of Radio Station WZKT-AM. We entered into a Lease arrangement with SlocuMedia, Inc. on December 1, 1989 for the above described property. SlocuMedia, Inc. became delinquent on rental payments early in 1990. After multiple meetings and notices of delinquency during the summer and fall, we sent SlocuMedia, Inc. the attached letter (Exhibit 1). Discussions of substance relating to prevention of re-entry and repossession and/or to renegotiating a lease have been negligible with the four attached documents (Exhibit 2, 3, 4, & 5) relating to same.
2. Waynesboro Broadcasting Limited Partnership (WBLP)¹ a partnership that sold to SlocuMedia, Inc. on August 10, 1989 the Assets and Contracts used in connection with the operation of a Radio Station known as WZKT-AM, Waynesboro, Virginia. That arrangement subsequently approved by the FCC, included a Secured Note from the Partnership on all the Equipment (including transmitter and studio equipment) used in operating WZKT-AM. The above referenced Note was registered for security purposes with the Virginia State Corporation Commission. The attached letter (Exhibit 1) was again the culmination of multiple efforts to find an alternate solution to the overdue installment payments. Exhibits 2, 3, 4, & 5 are representative of the lack of discussion and negotiation.

Mr. Sylvester Williams
July 16, 1991
Page 2

We have just received notice from the U. S. Bankruptcy Court for the Western District of Virginia that SlocuMedia, Inc. did on July 5, 1991 file for Bankruptcy under Chapter 7 (COPY ATTACHED).

Absent resolution of the above mentioned Notes and Leases involving transmitter, tower, studios and real estate, we oppose the transfer of a Bare License and question how soon or if broadcast will resume. We also find great objection in a "No Monetary Consideration" Agreement to Assignment.

Sincerely,



Leon P. Harris
Partner
WAYNESBORO BROADCASTING LIMITED PARTNERSHIP
KENNETH D. BOWMAN, NANCY M. BOWMAN,
LEON P. HARRIS PARTNERSHIP

EXHIBIT 1

The Law Offices of
EDWARD M. BURNS II, P.C.
108 South Wayne Avenue
Post Office Drawer 1809
Waynesboro, Virginia 22980

(703) 949-4832

FAX (703) 943-0701

December 7, 1990

SlocuMedia, Inc.
Attention: Scott Slocum, President
1304 Ivy Street
Waynesboro, Virginia 22980

**Re: Default under Lease Agreement for 1304 Ivy Street, Waynesboro, Virginia
and under Note and Security Agreement with Waynesboro Broadcasting
Limited Partnership**

Dear Mr. Slocum:

Our office represents Leon Harris and Kenneth and Nancy Bowman, owners of the above real estate who are landlords (the "Landlord") under lease for that real estate with SlocuMedia, Inc. as tenant (the "Tenant"). Our office also represents Waynesboro Broadcasting Limited Partnership, a Virginia limited partnership (the "Partnership") who is the creditor and secured party under a security agreement from SlocuMedia, Inc. as debtor securing obligations of SlocuMedia, Inc. with respect to purchase of assets used at the above address in connection with the operation of radio station WZKT AM.

The Tenant has previously been notified in writing that rent due the Landlord under such lease agreement is past due and delinquent. As of this date the Tenant is in default in payment of rent for the months of August, September, October and November, 1990 at \$2,500.00 per month, for a total delinquency in rent of \$10,000.00. Rent for December, 1990 will become due and payable in the amount of \$2,500.00 on December 10, 1990.

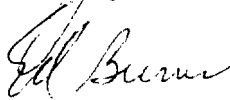
SlocuMedia, Inc. is also delinquent and in default in payments due under the promissory note evidencing the unpaid purchase price for the assets acquired by SlocuMedia, Inc. from the Partnership and used in the operation of radio station WZKT. The assets pledged by SlocuMedia, Inc. under the security agreement mentioned above are security for performance of the note and the payment obligations under it. Currently payments under the note are delinquent and in default for the months of August, September, October and November, 1990, each in the amount of \$2,000.00 for a total of \$8,000.00 now delinquent. A further payment of \$2,000.00 will come due under the note on December 25, 1990. SlocuMedia, Inc. has previously been given written notice of delinquency of these payments.

This is to advise you that unless all payments to be made and performances to be kept by the Tenant under the lease agreement are brought current by 5:00 p.m. Thursday, December 13, 1990, the Landlord will exercise its right of re-entry and repossession of the premises subject to the lease agreement.

This is also to advise you that unless the payments to be made and the performances to be kept under the security agreement and the note which it secures are not fully paid and performed by 5:00 p.m. Thursday, December 13, 1990, the Partnership will exercise its right to seize all assets subject to the security agreement.

Please govern yourself accordingly.

Sincerely,



Edward M. Burns, II

Counsel for Leon P. Harris, Kenneth and Nancy Bowman
Counsel for Waynesboro Broadcasting Limited Partnership

EMBII/slp

cc: SlocuMedia, Inc.
Attention Scott Slocum, President
P.O. Box 105
Fishersville, Virginia 22939

Mr. Earl Judy Jr.
Mr. Leon P. Harris

EXHIBIT 2

JOHN L. MATHERLY
CERTIFIED PUBLIC ACCOUNTANT

P. O. Box 1423

Waynesboro, Virginia 22980

Telephone (703) 943-7147

Telecopier (703) 943-1832

MEMBER
AMERICAN INSTITUTE OF
CERTIFIED PUBLIC ACCOUNTANTS

MEMBER
VIRGINIA SOCIETY OF
CERTIFIED PUBLIC ACCOUNTANTS

October 30, 1990

Mr. Robert Janney
Janney & Janney
12 South Court Street
Luray, VA 22835

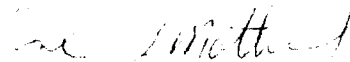
Dear Mr. Janney:

I discussed the conversation we had on the Slocum agreement with the Waynesboro Broadcasting partners. In response to the lease of the real estate they would offer either of the following arrangements:

- (1) A ten year lease on the entire property for \$2500 per month plus cost of living increases.
- (2) A two year lease on the tower and building at \$800 per month with WZKT responsible for making any needed repairs to building housing transmitter.

Please let me know which would be preferable.

Very truly yours,



John L. Matherly

JLM:jer

cc: Mr. Leon Harris

EXHIBIT 3

JANNEY, JANNEY & McGRATH

**ATTORNEYS AT LAW
18 SOUTH COURT STREET
P. O. BOX 188**

LURAY, VIRGINIA 22685-0188

RODY G. JANNEY

ROBERT S. JANNEY

JOHN J. McGRATH, JR.*

***ALSO ADMITTED IN DISTRICT
OF COLUMBIA AND NEW YORK**

703-743-9890

FAX 703-743-4049

December 12, 1990

**Edward M. Burns, II, P.C.
P.O. Drawer 1809
Waynesboro, Virginia 22980**

**VIA FAX AND FIRST CLASS
MAIL**

RE: SlocuMedia, Inc.

Dear Ed:

I have a copy of your December 7, 1990, correspondence to SlocuMedia, Inc., a copy of which was forwarded to my client, Earl Judy, Jr.

I believe that you are aware that Mr. Judy made an investment in SlocuMedia, Inc. and has arrived at an agreement to purchase the assets of SlocuMedia, Inc. subject to the fulfillment of certain contingencies of SlocuMedia, Inc.

My understanding is that to date, SlocuMedia, Inc. has not fully performed and satisfied all of the contingencies under the terms of that agreement but nevertheless my client believes that the transaction can be completed in accordance with his agreement with Mr. Slocum.

I have discussed the matter on several occasions with John Matherly and I believe the biggest impediments to working out arrangements at this time would be as to the terms of a long term lease on the transmitter site at a reasonable rent. The standing offer is for a two year lease at \$800 per month. I do note that there is an offer of a ten year lease on the entire property for \$2,500 per month plus cost of living increases and I do not believe that that is acceptable at this point.

Mr. Judy has advised me that he would like the opportunity to discuss the matter with your client, Mr. Harris, and yourself and I would hope that arrangements could be made in the near future to sit down to see what can be reasonably agreed to among the parties in this matter.

I would point out to you that should the noteholder proceed to foreclose, all the noteholder could obtain would be possession of the leased premises and possession of the personal property